

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (previously presented): A system for selectively delivering different beverages having different foam levels by injection of a fluid under pressure into a capsule that contains a beverage-forming substance, the capsule including a chamber containing the substance and a beverage dispensing structure adapted to retain an extraction pressure in the chamber before allowing the beverage to flow out of the capsule the system comprising:

an extraction device and first and second capsules;

the capsules being provided for selective use in the extraction device, with the first capsule having a first beverage dispensing structure so constructed and arranged to retain a first extraction pressure in the capsule, prior to the complete delivery of the beverage, and the second capsule having a second beverage dispensing structure so constructed and arranged to retain a second extraction pressure in the capsule, prior to the complete delivery of the beverage, with the first extraction pressure being greater than the second extraction pressure so that a greater amount of foam is produced upon delivery of the beverage from the first capsule as compared to that produced by the second capsule, so that a user of the system can select a cartridge that produces a beverage with the desired foam content.

Claim 2 (previously presented): The system of claim 1, wherein the first and second capsules each include a substantially identical external configuration and shape, with a lower portion of each capsule configured and positioned to collect the beverage prior to dispensing it.

Claim 3 (canceled):

Claim 4 (previously presented): The system of claim 2, wherein the beverage dispensing structure is provided in the lower portion of the capsules, and the different extraction pressures of the beverage dispensing structures are achieved by different configurations for the beverage dispensing structures.

Claim 5 (previously presented): The system of claim 4, wherein the different configurations of the beverage dispensing structures include a membrane and a puncturing plate.

Claim 6 (previously presented): The system of claim 5, wherein the different configurations of the of the beverage dispensing structures include at least one arrangement selected from the group consisting of:

- (a) the membrane of the second capsule has a thickness that is different from that of the membrane of the first capsule;
- (b) the membrane of the second capsule is made of a material that has a different puncture resistance than the membrane of the first capsule;
- (c) the puncturing plate of the first capsule is different from that of the second capsule; and
- (d) one capsule has a membrane and puncturing plate and the other capsule has a filter element.

Claim 7 (previously presented): The system of claim 6, wherein the different configurations of the beverage dispensing structures include at least one feature selected from the group consisting of:

(a) the membrane of the second capsule has a thickness that is smaller than that of the membrane of the first capsule, with the first and second membranes being made of a flexible material and being present in a thickness ratio that is between 1.25:1 to 5:1;

(b) the membrane of the second capsule is an aluminium membrane having a thickness of about 5 to 30 microns, and the membrane of the first capsule is an aluminium membrane having a thickness of about 20 to 80 microns;

(c) the puncturing plate of the first capsule has puncturing elements of different sharpness from the puncturing elements of the second capsule; and

(e) the puncturing plate of the first capsule has puncturing elements that are present in a different number than the puncturing elements of the second capsule.

Claim 8 (previously presented): The system of claim 5, wherein dispensing of the beverage is achieved upon perforation of the membrane by contact with the puncturing plate.

Claim 9 (canceled):

Claim 10 (previously presented): The system of claim 5, wherein, due to a rise in pressure in the chamber the membrane of each capsule is moved to engage the puncturing plate to pierce the membrane and allow the beverage to be dispensed from the capsule.

Claim 11 (previously presented): The system of claim 1, comprising means for providing a fluid to the capsule and a device for holding a selected capsule in an operative position to receive a fluid from the fluid providing means for forming the beverage in the capsule.

Claim 12 (previously presented): The system of claim 11, wherein the capsule holding device has a recess configured in the same size and shape as the external configuration of the capsule, and the fluid providing means includes at least one fluid introduction element for introducing fluid into the capsule when the capsule is positioned in the capsule holder.

Claim 13 (previously presented): The system of claim 1, wherein the system is operatively associated with a first set of between 2 and 20 first capsules and a second set of between 2 and 20 second capsules.

Claim 14 (original): The system of claim 13, wherein the first set of capsules is provided in a first package and the second set of capsules is provided in a second package.

Claim 15 (previously presented): A method for allowing a user to form a beverage having a desired foam level from a system that forms the beverage by injection of a fluid under pressure into a capsule that contains a beverage-forming substance, with the capsule including a chamber containing the substance and a beverage dispensing structure adapted to retain a certain extraction pressure in the chamber before allowing the beverage to flow out of the capsule comprising the steps of: providing first and second capsules for selective use in the system, with the first capsule having a first beverage dispensing structure so arranged and constructed to retain a first extraction pressure in the capsule, prior to the complete delivery of the beverage, and the second capsule having a second beverage dispensing structure so arranged and constructed to retain a second extraction pressure in the capsule, prior to the complete delivery of the beverage, with the first extraction pressure being greater than the second extraction pressure so that a greater amount of foam is provided upon delivery of the beverage from the first capsule as compared to that provided by the second capsule, so that the user can obtain a beverage with the desired foam content by selection of the first or second capsule and introduction of the selected capsule into the system for formation and dispensing of the beverage.

Claim 16 (previously presented): The system of claim 4, wherein the different configurations of the beverage dispensing structures include a membrane and a filter element.

Claim 17 (previously presented): The system of claim 16, wherein the different configurations of the of the beverage dispensing structures include at least one arrangement selected from the group consisting of:

- (a) the membrane of the second capsule has a thickness that is different from that of the membrane of the first capsule;
- (b) the membrane of the second capsule is made of a material that has a different puncture resistance than the membrane of the first capsule;
- (c) the puncturing plate of the first capsule is different from that of the second capsule; and
- (d) one capsule has a membrane and puncturing plate and the other capsule has a filter element.

Claim 18 (previously presented): The system of claim 17, wherein the different configurations of the beverage dispensing structures include at least one feature selected from the group consisting of:

- (a) the membrane of the second capsule has a thickness that is smaller than that of the membrane of the first capsule, with the first and second membranes being made of a flexible material and being present in a thickness ratio that is between 1.25:1 to 5:1;
- (b) the membrane of the second capsule is an aluminium membrane having a thickness of about 5 to 30 microns, and the membrane of the first capsule is an aluminium membrane having a thickness of about 20 to 80 microns;
- (c) the puncturing plate of the first capsule has puncturing elements of different sharpness from the puncturing elements of the second capsule; and
- (e) the puncturing plate of the first capsule has puncturing elements that are present in a different number than the puncturing elements of the second capsule.

Claim 19 (previously presented): The system of claim 5, wherein dispensing of the beverage is achieved by internal pressure in the cartridge forcing the beverage to pass through the filter element.

Claim 20 (previously presented): The system of claim 5, wherein the puncturing plate of each capsule includes a plurality of puncturing elements, with the first and second capsule each including a multitude of protrusions wherein the second capsule has a greater number of protrusions than the first capsule.

Claim 21 (previously presented): The system of claim 5, wherein, due to a rise in pressure in the chamber the beverage in the chamber is forced to pass through the filter element to be dispensed from the capsule.

Claim 22 (new): A system for selectively delivering different beverages having different foam levels by injection of a fluid under pressure into a capsule that contains a beverage-forming substance, the capsule including a chamber containing the substance and a beverage dispensing structure adapted to retain an extraction pressure in the chamber before allowing the beverage to flow out of the capsule the system comprising:

an extraction device and first and second capsules, wherein the first and second capsules each include a substantially identical external configuration and shape, with a lower portion of each capsule configured and positioned to collect the beverage prior to dispensing it, and wherein the lower portion of each capsule has an opening that forms an outflow passage for dispensing the beverage to the user without contacting or contaminating other portions of the system;

the capsules being provided for selective use in the extraction device, with the first capsule having a first beverage dispensing structure so constructed and arranged to retain a first extraction pressure in the capsule, prior to the complete delivery of the beverage, and the second capsule having a second beverage dispensing structure so constructed and arranged to retain a second extraction pressure in the capsule, prior to the complete delivery of the beverage, with the first extraction pressure being greater than the second extraction pressure so that a greater amount of foam is produced upon delivery of the beverage from the first capsule as compared to that produced by the second capsule, so that a user of the system can select a cartridge that produces a beverage with the desired foam content.

Claim 23 (new): A system for selectively delivering different beverages having different foam levels by injection of a fluid under pressure into a capsule that contains a beverage-forming substance, the capsule including a chamber containing the substance and a beverage dispensing structure adapted to retain an extraction pressure in the chamber before allowing the beverage to flow out of the capsule the system comprising:

an extraction device and first and second capsules, wherein the first and second capsules each include a substantially identical external configuration and shape, with a lower portion of each capsule configured and positioned to collect the beverage prior to dispensing it;

the capsules being provided for selective use in the extraction device, with the first capsule having a first beverage dispensing structure so constructed and arranged to retain a first extraction pressure in the capsule, prior to the complete delivery of the beverage, and the second capsule having a second beverage dispensing structure so constructed and arranged to retain a second extraction pressure in the capsule, prior to the complete delivery of the beverage, with the first extraction pressure being greater than the second extraction pressure so that a greater amount of foam is produced upon delivery of the beverage from the first capsule as compared to that produced by the second capsule, so that a user of the system can select a cartridge that produces a beverage with the desired foam content, wherein the beverage dispensing structure is provided in the lower portion of the capsules, and the different extraction pressures of the beverage dispensing structures are achieved by different configurations for the beverage dispensing structures, the different configurations being selected from the group consisting of a membrane, a puncturing plate and combinations thereof, the puncturing plate having a plurality of puncturing elements, with the first capsule including a multitude of protrusions ending by a flattened tip and the second capsule including a multitude of protrusions ending by a sharpened tip.